



NEWS ADVISORY

For Immediate Release:
September 16, 2003

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FPPC provides letter to Superior Court in *Johnson v. Bustamante*

The Fair Political Practices Commission today filed a 12-page "letter brief" in Sacramento Superior Court in a lawsuit filed by Sen. Ross Johnson, R-Irvine, against the gubernatorial campaign of Lt. Gov. Cruz Bustamante.

Responding to an invitation from Superior Court Judge Loren McMaster to file an informational letter in the matter, FPPC General Counsel Luisa Menchaca summarized for the court "pertinent legal issues" in the case – issues that the court may want to consider in further construing Proposition 34 in this case.

"The commission is cognizant of the urgency brought about by the immediacy of the pending election," Menchaca wrote in the letter, "even if the election is postponed until March." The commission asks that the court "issue a ruling as soon after the hearing as possible to provide guidance both to the parties in the litigation and to the commission."

She also noted that the commission's comments "must be somewhat circumspect in this matter" because the FPPC "is currently undertaking an investigation of the conduct in this case to determine whether future commission enforcement action is warranted and, if so, what form that action will take."

A copy of the letter is attached, or available on the FPPC website at www.fppc.ca.gov. Go to "litigation" on the left side of the home page.

Menchaca said the issues raised in the litigation "represent the first opportunity to address significant issues arising in the context of the Proposition 34 contribution limits. While we are not able to address all of the legal intricacies raised by this lawsuit and the questions posed by the court, we hope this is of assistance to the court in grappling with the provisions of Proposition 34 on an expedited basis in this unprecedented and unforeseen election."

The commission is not a party in *Johnson v. Bustamante*.

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